

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA

ANDREW LANCASTER, JEFFERY MILLS,
DEXTER WILLIAMS, WILLIAM DENNIS,
STEVE LIVADITIS, JIMMY VAN PELT,
H. LEE HEISHMAN III AND JOHNATON
GEORGE,

Plaintiffs,

v.

JAMES E. TILTON, Acting Secretary,
California Department of Corrections and
Rehabilitation, and ROBERT L. AYERS, JR.,
Acting Warden, San Quentin State Prison,

Defendants.

No. C 79-01630 WHA

**REQUEST FOR RESPONSE
RE APPEAL**

The Court notes that defendants have complied with the Court's requests for a corrective action plan and have also responded to plaintiffs' comments regarding that plan. The Court wants to ensure that, notwithstanding defendants' appeal of the Court's Order Re Motion for Contempt and Motion to Modify the Consent Decree (Docket No. 1142), all parties agree that the Court has jurisdiction to continue to hold hearings on the motion for contempt and modification. The parties will please file responses on this issue by **NOON on SEPTEMBER 5, 2007**. The Court also requests that defendants describe what aspects of the order they are appealing.

IT IS SO ORDERED.

Dated: August 31, 2007.



WILLIAM ALSUP
UNITED STATES DISTRICT JUDGE